

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
PENNSYLVANIA

Corey Byrne, et al. v. Terex USA, LLC d/b/a Marco, et al.

Byrne · No. No. 25-0586 · Decided December 22, 2025

SUMMARY

The United States District Court for the Eastern District of Pennsylvania denied defendants’ motion for reconsideration of an earlier decision declining to transfer a products-liability action to the Middle District of Pennsylvania. The court held that defendants had not shown an intervening change in law, newly available evidence, clear legal error, or manifest injustice. The memorandum addresses the private and public-interest factors governing transfer under Third Circuit precedent, including plaintiff’s forum choice, accident location, witness convenience, court congestion, local interest, and judicial economy.

CASE DETAILS

COURT	United States District Court for the Eastern District of Pennsylvania
WRITING FOR THE COURT	Gerald Austin McHugh
JURISDICTION	United States District Court for the Eastern District of Pennsylvania
DECIDED	December 22, 2025
DOCKET	No. 25-0586
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved for reconsideration of the court's prior denial of their motion to transfer the products-liability action from the Eastern District of Pennsylvania to the Middle District of Pennsylvania.
STANDARD OF REVIEW	A motion for reconsideration is an extraordinary remedy available only upon an intervening change in controlling law, newly available evidence, or the need to correct clear error of law or prevent manifest injustice. The movant must show more than disagreement with the prior ruling and may not use reconsideration to relitigate decided issues or raise arguments that should previously have been made.
PRECEDENTIAL VALUE	unpublished district court memorandum; persuasive rather than precedential

TOPICS

motion for reconsideration

forum non conveniens

venue

products liability

civil procedure

PRACTICE AREAS

Civil procedure

Products liability

Venue and forum non conveniens

QUESTIONS PRESENTED

1. Whether defendants satisfied the heightened standard for reconsideration by showing clear error of law or manifest injustice in the court's prior denial of transfer.
2. Whether the court misapplied the Third Circuit's forum non conveniens factors by giving substantial weight to the plaintiffs' choice of forum and insufficient weight to the accident site, witness convenience, local interest, court congestion, and judicial economy.

HOLDINGS

1. Defendants failed to demonstrate an intervening change in controlling law, newly discovered evidence, clear error, or manifest injustice; their motion for reconsideration was therefore denied.
2. The court did not commit clear legal error in applying the Third Circuit's transfer framework or in weighing the relevant private and public interests; the plaintiffs' choice of a proper forum remained entitled to substantial weight, and defendants did not show that the balance of convenience strongly favored transfer.

KEY QUOTATIONS

“Granting relief based on a motion for reconsideration is reserved for “extraordinary circumstances.””
(Legal Standard)

“they may be used only to correct manifest errors of law or fact or to present newly discovered evidence.”
(Legal Standard)

“a plaintiff’s choice of a proper forum is a paramount consideration in any determination of a transfer request, and that choice should not be lightly disturbed.” (Discussion)

“transfer is warranted only where “the balance of convenience of the parties is strongly in favor of defendant.”” (Discussion)

FACTUAL BACKGROUND

The case is a products-liability action arising from a worker's injury while using a cement hopper. The accident occurred in Lackawanna County, Pennsylvania, but the plaintiffs filed suit in Philadelphia. The defendants are corporate entities, and the court considered the location of the product, the alleged defect, the parties' connections, witness convenience, court congestion, local interests, and judicial economy in evaluating transfer and reconsideration.

PROCEDURAL HISTORY

The action was initially filed in the Philadelphia Court of Common Pleas by a worker injured while using a cement hopper and was transferred to federal court based on diversity jurisdiction. The court previously denied defendants' motion to transfer under the Third Circuit's *forum non conveniens* framework, concluding that private interests weighed slightly in favor of transfer but public interests weighed more substantially against it. Defendants then moved for reconsideration, asserting that the court had misapplied the law; the motion was denied.

DISPOSITION

other

CASES CITED

- *In re Energy Future Holdings Corp.*, 904 F.3d 298, 311-12, 316 (3d Cir. 2018)
- *Blystone v. Horn*, 664 F.3d 397, 415 (3d Cir. 2011)
- *Lazaridis v. Wehmer*, 591 F.3d 666, 679 (3d Cir. 2010)
- *Smith v. City of Chester*, 155 F.R.D. 95, 97 (E.D. Pa. 1994)
- *United States v. Jasin*, 292 F. Supp. 2d 670, 676 (E.D. Pa. 2003)
- *Glendon Energy Co. v. Borough of Glendon*, 836 F. Supp. 1109, 1122 (E.D. Pa. 1993)
- *Jumara v. State Farm Ins. Co.*, 55 F.3d 873 (3d Cir. 1995)
- *Shutte v. Armco Steel Corp.*, 431 F.2d 22, 25 (3d Cir. 1970)
- *Coppola v. Ferrellgas, Inc.*, 250 F.R.D. 195 (E.D. Pa. 2008)
- *Fineman v. Trek Bicycle Corp.*, No. 23-cv-2272, 2024 WL 2707012 (E.D. Pa. Mar. 19, 2024)
- *Galonsky v. Adamar of N.J., Inc.*, No. 07-cv-1469, 2007 WL 2234569 (E.D. Pa. Aug. 1, 2007)
- *State Farm Fire & Cas. Co. v. Brighton Exteriors, Inc.*, No. 17-cv-3905, 2018 WL 3995956 (E.D. Pa. Aug. 21, 2018)
- *Keller-Miller v. Coca-Cola Bottling Co.*, No. 16-cv-3018, 2016 WL 5870897 (E.D. Pa. Oct. 7, 2016)
- *Trias v. QVC, Inc.*, No. 20-cv-813, 2020 WL 2769585, at *3 (E.D. Pa. May 28, 2020)
- *Lempke v. Gen. Elec. Co.*, No. 10-cv-5380, 2011 WL 3739499, at *5 (E.D. Pa. Aug. 25, 2011)
- *Brown v. Kia Motors Corp.*, No. 06-cv-804, 2007 WL 539652, at *3 (W.D. Pa. Feb. 15, 2007)
- *Duvall v. Avco Corp.*, No. 05-cv-1786, 2006 WL 723484, at *2 (M.D. Pa. 2006)
- *Tincher v. Omega Flex, Inc.*, 104 A.3d 328 (Pa. 2014)